

# Commercial Energy's Comments & Analysis of the Portal Process

➤ ***March 21, 2016***

# Why change from Email submissions?

- ▶ **Commercial Energy pre-empted all on Dec 1<sup>st</sup>**
  - *CE played by the rules*
  - *CE told all players they would do this*
  - *Incumbents unhappy because they lost*
- ▶ **Commission late on Rulemaking 12-11-005**
  - *CE proposed Lottery process 6/9/15*
  - *Staff Strawman Proposal not issued until 11/23/15*
- ▶ **PA's and ED sold a new software "solution"**
  - *Committed to proceed despite:*
  - *No time to run thru public process*
  - *No time to test*

# The Portal Process

- ▶ No Public Discovery
- ▶ No Disclosure until Feb. 1
- ▶ No training of the PAs until Feb. 9–11
- ▶ CE warned of first day problems
- ▶ Stem wins with a new technology!



# Potential Application Methods

- ▶ Email Submissions
  - Easy to implement
  - Need updated Rules on duplicate submissions
- ▶ Portal Submissions
  - Technically difficult, ask TicketMaster
  - Need public process to assess merits
- ▶ Lottery Submissions
  - Easy to implement – already done in DA
  - Random decision process minimizes technical skills

# Commercial Energy's Suggestions

- ▶ Hold all funds for Stem applications
- ▶ It would be unfair to hold funds from
  - parties that followed the rules
  - Cogen applicants that didn't fill the queue
- ▶ Evaluate what happened on 2/23
  - 1) Software glitch
  - 2) Stem's expertise
  - 3) Stem's breach of the rules

# Commercial Energy's Suggestions

- ▶ 1) Software glitch
  - Staff complete SGIP program revisions quickly
  - Randomly assign ALL submittals and pull numbers via lottery process
- ▶ 2) Stem's expertise won
  - If Stem proves they had unique expertise...
  - All Hail the Victor!
- ▶ 3) Stem breached the rules
  - Re-issue all held funds in random drawing
  - Additional punishment for abuse of process?